APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/728,672	12/01/2000	Mai-lan Tomsen	005217.P008	5562

33318   7590   07/09/2007

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EXAMINER
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ART UNIT	PAPER NUMBER
2623	

MAIL DATE	DELIVERY MODE
07/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)	
Office Action Summary	09/728,672	TOMSEN, MAI-LAN	
	Examiner	Art Unit	
	Scott Beliveau	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

˙A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any ˙
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 May 2007*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3,5,7-9 and 23-43* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ ˙Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3,5,7-9 and 23-43* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ ˙Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made·of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Priority

1.   Applicant's claim for the benefit of a prior-filed application under 35 U.S.C. 119(e) or

under 35 U.S.C. 120, 121, or 365(c) is acknowledged. Applicant has not complied with one

or more conditions for receiving the benefit of an earlier filing date under 35 U.S.C. 120.

The later-filed application must be an application for a patent for an invention which is also

disclosed in the prior application (the parent or original nonprovisional application or

provisional application). The disclosure of the invention in the parent application and in the

later-filed application must be sufficient to comply with the requirements of the first

paragraph of 35 U.S.C. 112. See *Transco Products, Inc. v. Performance Contracting, Inc.,*

38 F.3d 551, 32 USPQ2d 1077 (Fed. Cir. 1994).

The disclosure of the prior-filed applications, Application No.s 60/220,798 and

60/236,422, fail to provide adequate support or enablement in the manner provided by the

first paragraph of 35 U.S.C. 112 for one or more claims of this application. In particular, the

claimed subject matter of claims 24-29, 32, 34-38, and 40-43 do not appear to be supported

and are consequently being examined based upon the application filling date of 01 December

2000.

Response to Arguments

2.   Applicant's arguments filed 14 May 2007 have been fully considered but they are not

persuasive.

In regards to the rejection under 35 USC 102, applicant argues that Mankovitz fails to disclose providing the ability to conduct a transaction at all let alone the deferral and resumption of a transaction as claimed in claim 40. As noted in the rejection of record, Mankovitz discloses the receipt and ability for a user to access/interact with supplemental content (Page 5, Lines 15-21). Figure 2 illustrates that this includes the 'ability to conduct a transaction' or access a shopping website. As commonly defined in the art, 'deferring a transaction' is understood to put off a transaction to a future time and 'resuming a transaction' is to take up or go on with again after interruption (Random House Unabridged Dictionary). By choosing to interact with a particular website first (ex. Triva), one chosen to defer or postpone a transaction associated with the second website (ex. Shopping). The system further continuously 'captures a snapshot of at least a portion of the broadcast segment' (ex. 30 frames or snapshots per second – corresponding to the video display rate) by buffering/recording the portion of the television signal that is being missed. The portion being missed is at least temporally related to the transaction. Using the time-shifting functionality of Mankovitz, the viewer can later resume the deferred transaction in association with returning to the shopping website.

In response to applicant's arguments further arguments against the combination of Macrae, Mankovitz, and Garrett individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). As previously noted, Mankovitz is believed to facilitate both the ability to resume and conduct a transaction to resume the transaction within the

same context or portion of the video program in which it was originally presented. Taken in

combination with the analogous Garrett, if a user had began to interact with the shopping site

as described in Mankovitz, upon returning to that site, previously selected items would be

resumed or coordinated with the return to the previously paused programming.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on
sale in this country, more than one year prior to the date of application for patent in the United States.

4.   Claim 40 is rejected under 35 U.S.C. 102(b) as being anticipated by Mankovitz (WO

98/48566).

In consideration of claim 40, Mankovitz discloses a "method" for interacting with

supplemental content. The method involves "receiving a broadcast segment including

supplemental content for conducting a transaction" (Page 5, Lines 15-21). In association

with allowing the subscriber to interact with the supplemental content, the system may

"receive a command to defer the transaction" and "defer the transaction" associated with

shopping by selecting to view another supplemental feature (ex. Trivia) (Page 6, Lines 10-

24). "In response to the command to defer the transaction" or to interact with a different

functionality, the system continues to "capture a snapshot of at least a portion of the

broadcast segment related to a [shopping] transaction" and "locally stor[es] the snapshot

within a set top box" (Page 7, Lines 12-26). The user may later decide to return to the

'shopping' functionality at a later point in time rewinding the presentation (Page 10, Lines 3-

10) thereby "retrieving the locally-stored snapshot; and presenting the retrieved snapshot to

restore a user's context in the [shopping] transaction" in connection "receives a command to

resume the deferred transaction" or returning to implement the shopping functionality (Page

7, Line 27 – Page 8, Line 4).

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

6.   Claims 1, 3, 5, 7-9, 23, 24, 26-34, 36-39, and 41-43 are rejected under 35 U.S.C. 103(a)

as being unpatentable over Macrae et al. (US Pub No. 2003/0005463 A1), in view of

Mankovitz (WO 98/48566), and in further view of Garrett (US Pat No. 6,473,738).

In consideration of claim 1, the Macrae et al. reference discloses a "method" as illustrated

in Figures 2-3 and 8 comprising "presenting a broadcast segment as part of an interactive

television transmission" such as a commercial and "receiving with the broadcast segment

supplemental information related to a transaction involving an item shown in the broadcast

segment" (Para. [0043] – [0048] and [0060]). While the reference discloses the particular

ability to support electronic shopping, it is silent with respect to the process involving the

particular storage of 'context information' as well as the particular usage of a 'shopping cart'

as claimed.

In an analogous art related to the field of interactive television, the Mankovitz reference discloses a "method" similar to Macrae et al. for "presenting a broadcast segment as part of an interactive television transmission" and "receiving with the broadcast segment supplemental information" (Page 5, Line 15 – Page 6, Line 9) which could also include shopping (Figure 2). Mankovitz further teaches that "responsive to a first command received from a user input device" [28] choosing to interact with the supplemental content the system "locally stores context information related to the transaction, the context information being separate from the supplemental information and indicating a context of the user within the transaction" by virtue of continuously presenting the particular portion of the video at the point in which the user decided to interact with the supplemental content in a manner that continually "restores the user's context within the transaction" (Page 7, Line 27 – Line 4). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Macrae et al. using the teachings of Mankovitz for the purpose of advantageously allowing the viewer to interact with supplemental content at their leisure without losing the continuity of the video programming (Mankovitz: Page 2, Lines 5-15).

Taken in combination, the references "present a broadcast segment as part of an interactive television transmission [and] receive with the broadcast segment supplemental information related to a transaction involving an item shown in the broadcast segment. Subsequently, "responsive to a first command received from a user input device" associated with the decision to interact with the enhanced content, the system provides for the user to shop for goods or services related to the broadcast, "defer the transaction" in association with

the subscriber continuing to interact with other web pages / PRI (ex. Trivia), "locally store

the supplemental information received prior to the first command" so that the user can return

to the shopping site (Macrae et al.: Para. [0050]), and "locally storing context information

relating to the transaction, the context information being separate from the supplemental

information and indicating a context of the user within the transaction" or the particular

portion of the video programming that the user choose to interact with for the transaction.

The combined references, however, are silent with respect to the particular usage of a

'shopping cart' in association with shopping.

In an analogous art pertaining to commerce over a data network, the Garrett reference

discloses a method for conducting transactions using a 'shopping cart' wherein the consumer

accesses the merchandiser via a web site address (Col 1, Lines 29-30). As illustrated in

Figure 5, the method comprises "placing an indication of [an] item in a shopping cart" [537].

Figure 10 illustrates "subsequently displaying the shopping cart including the indication of

the item" and further allowing the viewer to defer the transaction to purchase the items (ex.

continuing to shop [1030], logging out [107] to return at a later time, etc.)(Col 7, Lines 1-27).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time

the invention to utilize the 'shopping cart' teachings of Garrett for the purpose of providing a

shopping experience that mirrors the best aspects of 'in-store' shopping (Garrett: Col 1,

Lines 16-25; Col 2, Lines 51-59).

Taken in combination, the references "present a broadcast segment as part of an

interactive television transmission [and] receive with the broadcast segment supplemental

information related to a transaction involving an item shown in the broadcast segment

(Macrae et al. and Mankovitz). Subsequently, "responsive to a first command received from

a user input device" associated with the decision to interact with the enhanced content

(Macrae et al. and Mankovitz), the system provides for the user to shop for goods or services

related to the broadcast and "place an indication of the item in a shopping cart" (Garrett),

"defer the transaction" in association with the subscriber deciding to interact with other web

pages / PRI (ex. Trivia) as opposed to purchasing the item immediately, "locally store the

supplemental information received prior to the first command" so that the user can return to

the shopping site (Macrae et al.: Para. [0050]), and "locally storing context information

relating to the transaction, the context information being separate from the supplemental

information and indicating a context of the user within the transaction" or the particular

portion of the video programming that the user choose to interact with for the transaction. As

illustrated in Garrett, the system subsequently "displays the shopping cart including the

indication of the item" and "in response to a user selection of the item in the shopping cart"

such as a selection to add the item to other parties list, the user may choose to log-out (Col 7,

Lines 43-57) to further explore other related content prior to making an actual purchase.

Subsequently, upon returning to 'shopping', the system "retrieves the locally-stored

supplemental information" in order to access the shopping web-site, and the "context

information" associated with the commercial message, and "uses the supplemental

information and context information to respectively resume the transaction pertaining to the

item and restore the user's context within the transaction" in association with the restoration

of the user's shopping experience while viewing the previously displayed video segment.

Claim 3 is rejected wherein the "broadcast segment comprises a commercial" (Macrae et al.: Para. [0048]; Mankovitz: Page 5, Lines 15-22).

Claim 5 is rejected wherein "the context information comprises at least a portion of a broadcast segment, and wherein using the context information includes streaming the at least a portion of the broadcast segment" for display (Mankovitz: Page 7, Line 27 – Page 8, Line 4).

Claim 7 is rejected wherein Garrett illustrates that method further comprises "prompting for a selection to complete the transaction" [106] and "in response to the selection, completing the transaction" [1735] (Figure 17).

Claim 8 is rejected wherein the Garrett illustrates that "responsive to user selection to conduct the transaction," [106] the system "processes user input information related to conducting the transaction" (Garrett: Figure 17; Col 13, Lines 9-30).

Claim 9 is rejected wherein "subsequent to receiving [a] second command" the system "connects to a communication network to obtain at least some additional information usable for the transaction" (ex. gift wrapping, shipping information, etc.) (Garrett: Col 13, Lines 9-23).

Claim 23 is rejected in light of the previously set forth combination of Macrae et al., Mankovitz, and Garrett (US Pat No. 6,473,738). In particular, Macrae et al. discloses a "method" as illustrated in Figures 2-3 and 8 comprising "receiving a broadcast segment including supplemental information sufficient for conducting at least a portion of a transaction" involving an item shown in the broadcast segment" and "notifying a user that the transaction is available" (Para. [0043] – [0048], [0058], and [0060]). The user can

subsequently "partially conduct the transaction" in association with interacting with the icon

of Figure 2 in order to generate what is illustrated as Figure 3 (Para. [0025] – [0026]). "In

response to receiving a user command to defer the transaction", associated with choosing to

view/perform other activities, the system "stores the supplemental information" (Para.

[0024]) whereupon the user can subsequently "use the supplemental information . . . to

resume the deferred transaction from the point at which it was deferred" in connection with

returning to any of the previously displayed options of Figure 3. While the reference

discloses the particular ability to support electronic shopping, it is silent with respect to the

process involving the particular storage of 'context information' such as that associated with

electronic shopping or other supplemental content.

In an analogous art related to the field of interactive television, as previously noted, the

Mankovitz reference discloses a "method" similar to Macrae et al. for "receiving a broadcast

segment including supplemental information sufficient for conducting at least a portion of a

transaction" (Page 5, Line 15 – Page 6, Line 9) which could also include shopping (Figure 2).

Mankovitz further teaches "storing context information relating to the transaction, the context

information being separate from the supplemental information and indicating a context of the

user within the transaction" by virtue of continuously presenting the particular portion of the

video at the point in which the user decided to interact with the supplemental content in a

manner that continually "restores the user's context within the transaction" (Page 7, Line 27

– Line 4). Accordingly, it would have been obvious to one having ordinary skill in the art at

the time the invention was made to modify Macrae et al. using the teachings of Mankovitz

for the purpose of advantageously allowing the viewer to interact with supplemental content

at their leisure without losing the continuity of the video programming (Mankovitz: Page 2, Lines 5-15).

In an analogous art pertaining to commerce over a data network, the Garrett reference discloses a method for conducting transactions using a 'shopping cart' wherein the consumer accesses the merchandiser via a web site address (Col 1, Lines 29-30). As illustrated in Figure 5, the method comprises "partially conducting [a] transaction" [537] in association with the placing of an item in a shopping cart [537] and "in response to receiving a user command to defer the transaction" (ex. continuing to shop [1030], logging out [107] to return at a later time, etc.), "storing context information relating to the transaction" (ex. shipping information, what items are scheduled for purchase, who the items are for, etc.) and "deferring the partially-conducted transactions" (Col 7, Lines 1-27). Subsequently, the system can "receive a user command to resume the deferred transaction" associated with the desire to complete the purchase from the "point at which it was deferred" (ex. already added shipping information, particular products, etc.). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention to utilize the 'shopping cart' teachings of Garrett for the purpose of providing a shopping experience that mirrors the best aspects of 'in-store' shopping (Garrett: Col 1, Lines 16-25; Col 2, Lines 51-59).

Taken in combination, the references "receive a broadcast segment including supplemental information sufficient for conducting at least a portion of a transmission" and "notify a user that the transaction is available" in connection with the particular presentation of an icon as illustrated in Figure 2 of Macrae et al. or the list of options as illustrated in Figure 3. The user can subsequently "partially conduct the transaction" in conjunction with

any number of steps necessary to actually complete the transaction (ex. purchase the item).

For example, 'partially conducting the transaction' may merely involve the selection of the

icon (Figure 2) or the selection of the 'Shopping feature' (Figure 3) as shown in Macrae et al.

or 'partially conducting the transaction' may refer to the placing of an item in a shopping cart

as shown in Garrett. Subsequently, "in response to receiving a user command to defer the

transaction", the combination continues to "store the supplemental information" necessary to

access the shopping site as well as 'context information relating to the transaction' associated

with either the broadcast segment itself (Mankovitz) or other information associated with the

'context of the user' (ex. shipping information, who the item is for, etc.) related to the

purchase (Garrett). Upon determining to resume the transaction the system "retrieves the

locally-stored supplemental information" in order to access the shopping web-site, and the

"context information" associated with the commercial message or other ordering

information, and "uses the supplemental information and context information to respectively

resume the transaction pertaining to the item and restore the user's context within the

transaction" in association with the restoration of the user's shopping experience while

viewing the previously displayed video segment.

Claim 24 is rejected wherein "storing the supplemental information comprises storing a

URL of a website" (Macrae et al.: Para. [0024]). .

Claim 26 is rejected wherein "storing the supplemental information comprises locally

storing the supplemental information within a set top box" (Macrae et al.: Para. [0022] and

[0024]).

Claim 27 is rejected wherein "storing context information comprises storing information previously entered by a user in connection with the transaction" such as the particular party that the item is being purchased for as well as the shipping information (Garrett: Figures 4-5).

Claim 28 is rejected wherein "storing context information comprises storing one or more URLs of websites accessed in connection with the transaction" such those corresponding to other websites associated with the video segment (ex. Trivia)(Macrae et al.: Figures 3-4; Para. [0022] and [0033]).

Claim 29 is rejected wherein "storing context information comprises storing content retrieved from websites accessed in connection with the transaction" such those corresponding to other websites associated with the video segment (ex. Trivia)(Macrae et al.: Figures 3-4; Para. [0022] and [0033]).

Claim 30 is rejected wherein "storing context information comprises storing at least one snapshot of the broadcast segment relating to the transaction" (Mankovitz: Page 7, Line 12 – Page 8, Line 4).

Claim 31 is rejected wherein "storing at least one snapshot of a television commercial comprises storing the at least one snapshot locally within a set top box" (Mankovitz: Page 4, Lines 26-37; Page 8, Lines 27-35).

Claim 32 is rejected wherein "storing at least one snapshot of a television commercial comprises locally capturing the at least one snapshot from the broadcast segment" (Mankovitz: Page 7, Line 26 – Page 8, Line 4).

Claim 33 is rejected in light of the combined teachings wherein "storing context information comprises storing an indication of a current action" (ex. added item X to shopping cart) "within a set of actions of the transaction" (ex. adding shipping information, adding additional parties, etc.) "at which point the transaction is to be deferred".

Claim 34 is rejected wherein "storing context information comprises storing the context information locally within a set top box" (Macrae et al.: Figures 3-4; Para. [0022] and [0033]) (Mankovitz: Page 7, Line 26 – Page 8, Line 4).

Claim 36 is rejected wherein "receiving a user command to resume the deferred transaction comprises: display a list of deferred transactions; and receiving a user selection of a deferred transaction to resume" (Garrett: Figure 5).

Claim 37 is rejected wherein "receiving a user command to resume the deferred transaction comprises display with the list of deferred transactions a list of previously completed transactions" [511] and a "list of cancelled transactions" [512] associated with the removal of an item for purchase (Garrett: Figure 5; Col 7, Line 59 – Col 8, Line 36).

Claim 38 is rejected in light of the combined teachings wherein "displaying a list of deferred transactions comprises automatically displaying a list of deferred transactions during a commercial break" in so far as the particularly displayed or 'frozen' video segment is a portion of the 'commercial break'. The particularly displayed 'list of deferred transactions' illustrated in Figure 5 of Garrett therefor is displayed during a time-shifted 'commercial break'.

Claim 39 is similarly rejected in light of the combined teachings wherein "displaying a list of deferred transactions comprises automatically displaying a list of deferred transactions

after the broadcast segment program being currently viewed has ended" given that the

particular transaction list may be compiled over a long period of time (Garrett: Col 14, Lines

23-27) and the system provides the ability to time-shift viewing.

Claim 41 is rejected wherein "partially conducting the transaction comprising storing an

indication of an item related to the transaction in a shopping cart" [537] (Garrett: Figure 5).

Claim 42 is rejected wherein "partially conducting the transaction comprises receiving

user input related to the transaction" such as the particular selection by the user to access the

shopping feature from the list of available features, adding information related to shipping

addresses, etc.

Claim 43 is rejected wherein "storing context information comprises storing transaction

status information" wherein transaction status information may be construed as information

related to the particular state of the transaction such as whether or not an item has been added

to the shopping cart and purchased as illustrated in Figure 5 of Garrett.

7.   Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Macrae et al. (US

Pub No. 2003/0005463 A1), in view of Mankovitz (WO 98/48566), in view of Garrett (US

Pat No. 6,473,738), and in further view of Blackketter et al. (US Pat No. 6,415,438).

Regarding claim 25, the combined references are silent with respect to the particular

usage of 'ATVEF triggers'. In an analogous art pertaining to interactive television, the

Blackketter et al. reference discloses the distribution of program related information using

"ATVEF triggers" (Col 4, Line 31 – Col 5, Line 40). Accordingly, it would have been

obvious to one having ordinary skill in the art at the time the invention was made to modify

the combined references such that "storing the supplemental information comprises storing

an ATVEF trigger" for the purpose of providing an improved means for the particular

triggering/presentation of supplemental content so as to enable the trigger to be sent in

advance when there is adequate transport bandwidth to transport the trigger (Blackketter et

al.: Col 1, Line 62 – Col 2, Line 13).

8.   Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Macrae et al. (US

Pub No. 2003/0005463 A1), in view of Mankovitz (WO 98/48566), in view of Garrett (US

Pat No. 6,473,738), and in further view of Zigmond et al. (US Pat No. 6,400,407).

Regarding claim 35, the combined references are silent with respect to "notifying

comprises presenting an audio indicator of the availability of the transaction". In an

analogous art pertaining to interactive television, the Zigmond et al. reference provides

evidence as to "notifying comprising presenting an audio indicator of the availability of [a]

transaction" with supplemental content (Col 3, Lines 27-65; Col 5, Lines 14-28).

Accordingly, it would have been obvious to modify the combined references such that the

"notifying comprises presenting an audio indicator of the availability of the transaction" for

the purpose of providing a means to alert individuals to availability supplemental content that

may have difficulty in seeing the screen and/or so as to provide a more intelligent mechanism

for communicating logical addresses associated with a video signal (Zigmond et al.: Col 2,

Lines 28-39).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until

after the end of the THREE-MONTH shortened statutory period, then the shortened statutory

period will expire on the date the advisory action is mailed, and any extension fee pursuant to

37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Scott Beliveau whose telephone number is 571-272-7343.

The examiner can normally be reached on Monday-Friday from 8:30 a.m. - 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John W. Miller can be reached on 571-272-7353. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status information

for unpublished applications is available through Private PAIR only. For more information

about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access

to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197

(toll-free). If you would like assistance from a USPTO Customer Service Representative or

access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or

571-272-1000.

Scott Beliveau
Primary Examiner
Art Unit 2623

SEB
June 25, 2007